Amendments to the Drawings:

The attached replacement and annotated sheet(s) of drawings includes changes to FIGS. 6 as follows.

FIG. 6 has been amended to amend number "501" to "601"

Attachment: Replacement Sheet
Annotated Sheet Showing Changes

REMARKS/ARGUMENTS

The Office Action mailed June 23, 2005 has been carefully considered. Reconsideration in view of the following remarks is respectfully requested.

Applicants gratefully acknowledge the indication of allowance of claim 3-10, 14, 16, 21-28, 32, and 24 subject to their re-writing in independent form. However, Applicant respectfully declines to amend the claims at this time, but reserves the right to do so at a later date.

The specification has been amended to correct minor editorial problems and correspond to the formal drawings. No new matter has been added.

In view of the Examiner's earlier restriction requirement, Applicant retains the right to present claims 37-59 in a divisional Application.

The 35 U.S.C. § 103 Rejection

Claims 1, 2, 11-13, 15, 17-20, 29-31, 33, 35, and 36 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Walton et al. (US 2002/0154705) in view of Chillariga et al. (US 2002/0122406) among which claims 1 and 19 are independent claims. This rejection is respectfully traversed.

Specifically, the Office Action contends that the elements of the presently claimed invention are disclosed in Walton except that Walton does not teach "ramping down the first communications signal at the end of the first timeslot; during a second adjacent timeslot, ramping

up a second communications signal". The Office Action further contends that Chillariga teaches "ramping (page 2, [0013], [0016]; page 12, [0122]; page 13, [0130]) down the first communications signal at the end of the first timeslot; during a second adjacent timeslot, ramping (page 2, [0013], [0016]; page 12, [0122]; page 13, [0130]) up a second communications signal" and that it would be obvious to one having ordinary skill in the art at the time of the invention to "modify the system of Walton et al., by using the features as taught by Chillariga et al., in order to provide an efficient communication system by improving process that permits fast macro diversity switching in an environment of timing advance that helps achieve the objectives of improved performance and higher density of MSs." The Applicants respectfully disagree for the reasons set forth below.

Walton teaches the use of "[t]ransmitter and receiver units for use in a communications system and configurable to provide antenna, frequency, or temporal diversity ... for transmitted signals." (Abstract). Each "transmission channel or sub-channel may be restricted to a particular modulation scheme ... or until such time a new modulation scheme is assigned." (Page 8, [0092]).

Chillariga teaches a "communication system for communication using wireless signals in a fast macrodiversity switching environment." (Abstract) Chillariga discloses a TDMA system whereby "isolation of one burst from the preceding and following bursts is crucial for TDMA systems. ... TDMA implementations therefore allow time for radio signal strength to ramp up and to ramp down." (Page 2, [0013]).

Claim 1 of the present application claims a method of "multi-mode RF communications" that includes an operation of "during a second adjacent timeslot, ramping up a second communications signal and transmitting the same in accordance with a different one of said first communications standard and said second communications standard." Claim 19 provides for similar limitations.

It is acknowledged in the Office Action that Walton fails to teach "ramping down the first communications signal at the end of the first timeslot; during a second adjacent timeslot, ramping up a second communications signal" and cites Chillariga as teaching this limitation. However, Chillariga merely mentions that well known fact that TDMA bursts are ramped up and ramped down at the start and end of its assigned time slot. No teaching or suggestion is provided of ramping a first communication signal at the end of a first time slot in accordance with a first or second communications standard and ramping up a second communications signal with a different one of said first and second communications standard. Indeed, Chillariga only addresses a simple communications standard (namely, TDMA).

Accordingly, Walton in view of Chillariga fails to teach or suggest all claims limitations of independent Claims 1 or 19.

Additionally, Chillariga is not analogous prior art to either Walton or the claimed invention. To be an analogous prior art reference, "the reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the invention was concerned." MPEP §2141.01(a). Chillariga is not in the same field of Applicant's endeavor. The claimed invention relates to the field of multi-mode systems utilizing

different communications standards. However, Chillariga merely utilized one communication system, namely TDMA. As such, the fields of endeavor are not the same.

Moreover, Chillariga does not teach or disclose subject matter that is reasonably pertinent to the particular problem that the present invention is concerned. The claimed invention is concerned with "ramping down the first communications signal at the end of the first timeslot; during a second adjacent timeslot, ramping up a second communications signal and transmitting the same in accordance with a different one of said first communications standard and said second communications standard" in multi-mode communication systems. Chillariga does not address and is not concerned with the problem of ramping down and up communication signals and switching modes at the same time as provided for in the claims. In fact, Chillariga does not discuss this possibility as it is only concerned with only one system, namely TDMA.

Accordingly, since the combination of prior art references do not teach or suggest all the claim limitations of Claims 1 or 19 and Chillariga is not an analogous prior art, it can not be said to render the claimed invention unpatentable.

As to dependent claims 2, 11-13, 15, 17-18, 20, 29-31, 33, 35, and 36, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable.

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance. It is respectfully requested that this rejection be withdrawn.

Conclusion

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

Respectfully submitted,
THELEN REID & PRIEST, LLP

Dated: September 21, 2005

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Annotated Sheet

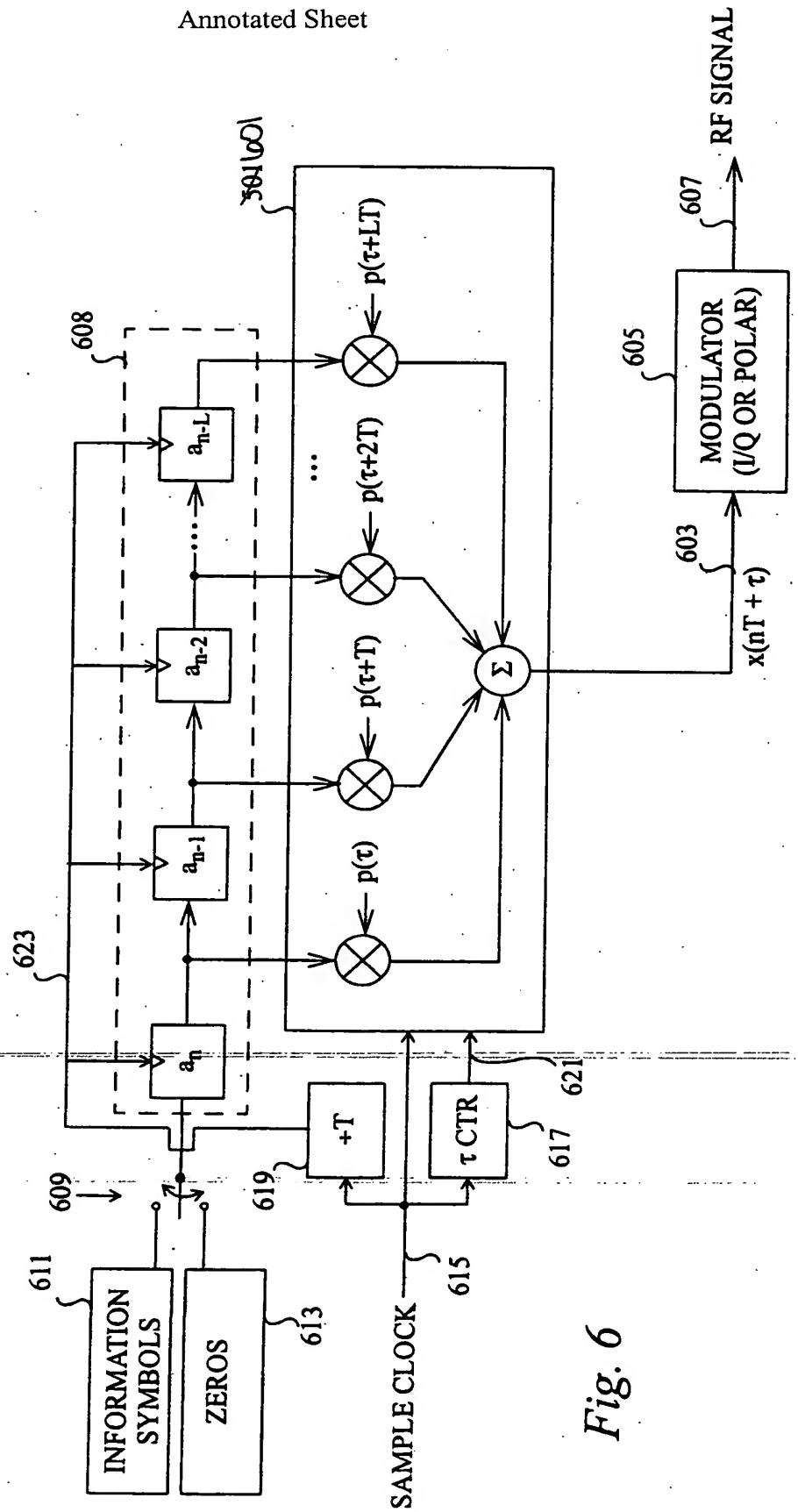

Fig. 6